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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IN RE APPLICATION OF
SCHUPP ET AL.

APPLICATION NO: 10/014,717

FILED: NOVEMBER 13, 2001

FOR: GENES FOR THE BIOSYNTHESIS OF EPOTHILONES

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Kindly enter the following Preliminary Amendment.

IN THE CLAIMS

Cancel claims 1-93.

Add new claims 94-103 as follows:

94. A process for the preparation of an epothilone, which comprises

(a) preparing a recombinant host by introducing into a host cell a group of nucleotide fragments that code for epothilone synthase proteins, which group of nucleotide fragments comprises an epoA nucleotide fragment, an epoP nucleotide fragment, an epoB nucleotide fragment, an epoC nucleotide fragment, an epoD nucleotide fragment and an epoE nucleotide fragment, such that each nucleotide fragment is operatively linked to a promoter sequence; wherein

- (i) the complement of the epoA nucleotide fragment hybridizes to nucleotides 7610-11875 of SEQ ID NO:1;
- (ii) the complement of the epo P nucleotide fragment hybridizes to nucleotides 11872-16104 of SEQ ID NO:1

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